

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

I & CAD Dept., – Court Case – OS.No.155/85 filed by M/s.Parandamaiah & Sons,Vijayawada for the work of “Permanent Electrification of hoisting equipment of spillway gates to the Kalyani Dam near Tirupathi, Chittoor District –A.S.No 73/98 filed in Hon’ble High Court against O.S.No.155/1985- Hon’ble High Court modified the Judgement and Decree dated 30/08/1997 in O.S.No.155 of 1985-Dismissing the Appeal without costs - Sanction of balance decretal amount to a tune of Rs.43,449/- Orders – Issued.

IRRIGATION &CAD(PW.Genl.III)DEPARTMENT

G.O.Ms.No. 64

Dt. 05 .06.2009

Read the following:

1. G.O.Ms.No.8 , I & CAD(PW-M&E)Dept., Dt. 18.1.2001.
2. From the Commissioner, P &D of Godavari Basin, Hyderabad, Lr.No.C3/8616/97.Vol-II, Dt.30.6.2008 & Dt.06.01.09.
3. From the Commissioner, P &D of Godavari Basin, Hyderabad, Lr.No.C3/8616/97.Vol-II, Dt.29.05.09.

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ORDER :

In the G.O. first read above, sanction was accorded for an amount of Rs.1,09,580/- to the credit of O.S.No.155/85 on the file of the III Addl. Sub.Judge, Vijayawada as per the orders of the Hon’ble High Court in C.M.P.No.22320/2000 in A.S.No.73/98 dated24.11.2000.

2. The Commissioner, P &D of Godavari Basin, Hyderabad , in the letter 2<sup>nd</sup> read above has stated that, the Contractor filed a suit in O.S.No.155 of 1985 in the Hon’ble III Additional subordinate Judge, Vijayawada duly claiming interest @ 18% per annum on the principle amount. On the decree of the court order Government filed a suit against the Judgement before the Hon’ble High Court, A.P, Hyderabad in A.S.No.73 of 1998. The Hon’ble High Court confirmed the decree for Rs.60,890/- at 12% P.A. from 19.10.84 up to the date of Suit(i.e. up to 27.04.1985) with the proportionate cost and 6% P.A. from the date of Suit till the date of realization and rest of the suit claim is dismissed without costs vide judgment and decree Dt.20.03.07.

3. The Commissioner, P &D of Godavari Basin, Hyderabad has reported that the total amount due to the contractor is as follows:-

1. 12% P.A. from 19.10.84 up to the date of Suit i.e. } (up to 27.04.1985) (6 Months & 8 days)	$\text{Rs.60,890} \times \frac{6\text{M}}{12} \times 12\% = \text{Rs. } 3653$
	$\text{Rs.60,890} \times \frac{8 \text{ days}}{30 \times 12} \times 12\% = \text{Rs. } 162$
2.Proportionate 6 % P.A. there after i.e. from 28.04.85 To 31.05.09(24 years one Month & 4 days)	$\text{Rs.60,890} \times 24 \times 6\% = \text{Rs. } .87,682$
	$\text{Rs.60,890} \times \frac{1\text{M}}{12} \times 6\% = \text{Rs. } 304$
	$\text{Rs.60,890} \times \frac{4\text{days}}{30 \times 12} \times 6\% = \text{Rs. } 41$
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	Total Rs 91,842
(+) Suit amount	Rs.60 ,890
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	Total Rs. 1,52,732
Deduct the amount already deposited in the lower Court(-)	Rs 1,09,580
Net amount due to the contractor if paid on 31.5.2009	<u>Rs. 43,152</u>

Net amount due to the contractor if paid on 15.6.2009 -----Rs. 43,304/-  
Net amount due to the contractor if paid on 30.6.2009 -----Rs. 43,449/-

(P.T.O)

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4. The Commissioner, P & D of Godavari Basin Hyderabad has requested to accord sanction due to the M/s.Parandamaiah & Sons,Vijayawada for the work of “Permanent Electrification of hoisting equipment of spillway gates to the Kalyani Dam near Tirupathi, Chittoor District.

5. Government after careful examination of the matter, hereby accord sanction for an amount of Rs. 43,449/- (Rupees forty three thousand and four hundred forty nine only) towards payment of balance decretal amount to be deposited to the credit of O.S.No.155/85 on the file of the III Addl. Sub.Judge, Vijayawada as per orders of the Hon’ble High Court in the judgment dated 20.03.2007 in A.S.No.73 of 1998.

6. The amount sanctioned in para(5) above, shall be debited to “ 2701 – Major & Medium Irrigation – 80- General – MH 001 – Direction & Administration – 500/ 503 – Other expenditure”

7. This order issues with the concurrence of Fin(Exp.PW.1)Dept., vide their U.O.No.6755-A/319/Exp.PW.1/09, Dt.13.03.2009.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITHYA NATH DAS

SECRETARY TO GOVERNMENT

To

The Commissioner, P&D of Godavari Basin,Hyderabad

Copy to :-

The Superintending Engineer, M & W Circle, Red Hills, Hyderabad

The Accountant General , A.P, Hyderabad

The Fin(Exp.PW.1)Deptt.,

P.S to Minster(Maj.Irrgn)

P.S to.Secy(AD)

SF/sc.

//FORWARDED::BY ORDER//

SECTION OFFICER